

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

Coastal Cargo Company, Inc.,

Plaintiff,

v.

M/V CRYSTAL OCEAN, her engines,
tackle, appurtenances, etc. *in rem*

Defendants.

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1:11-CV-119
IN ADMIRALTY, Rule 9(h)

UNOPPOSED MOTION FOR ORDER DIRECTING CLERK TO RELEASE FUNDS

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES, through undersigned counsel, DAEWOO LOGISTICS CORPORATION (“Daewoo”), disponent owner of the M/V Crystal Ocean sued *in rem* herein and moves this Honorable Court to order and direct the United States District Clerk for the Southern District of Texas to release to Daewoo the balance of the \$225,000 in funds Daewoo deposited in the Court’s registry in this matter on or about 16 June 2011 to secure the release of the M/V CRYSTAL OCEAN (Doc. No. 11), plus any accrued interest. In support thereof, Daewoo would respectfully show unto the Court as follows:

I. BACKGROUND

Daewoo respectfully represents that on September 18, 2011, this Court rendered judgment, granting Plaintiff’s Motion for Summary Judgment. (Doc. No. 46.) In so doing, this Court awarded Plaintiff the sum of \$148,898.10, plus prejudgment interest and costs. (*See id.*)

Plaintiff subsequently filed unopposed motions for (1) an Order Directing Clerk to Release Funds (Doc. No. 47); (2) to Tax Costs (Doc No. 52); and (3) to Quantify and Award Prejudgment and Post-judgment Interest (Doc. No. 53). The Court granted said motions for the

full amounts requested and ordered that the United States District Clerk for the Southern District of Texas disburse to Plaintiff funds held in the Court's registry in the amounts of (1) \$148,898.10 in satisfaction of the principal amount of the judgment (Doc. No. 51); (2) \$5,154.22 in satisfaction of costs (Doc. No. 55); and (3) \$25,291.02 in prejudgment and post-judgment interest. (Doc. No. 54.)

The Clerk subsequently disbursed registry funds in the ordered amounts on November 21, 2012 and May 9, 2013. The Clerk has advised that after the ordered disbursements there remains in the Court's registry \$45,656.66 of the original principal and \$81.91 in accrued interest, for a total of \$45,738.57. Because there are no outstanding unpaid judgments against the M/V Crystal Ocean or Daewoo, Daewoo is entitled to the return of the remaining balance of the funds it deposited into the Court's registry and any accrued interest.

II. PRAYER

WHEREFORE, PREMISES CONSIDERED, Daewoo prays this Honorable Court grant its Unopposed Motion For Order Directing Clerk to Release Funds; and enter an order directing the United States District Clerk for the Southern District of Texas to disburse the sum of \$45,738.57, and further accrued interest, if any, held in the Court's registry to Daewoo Logistics Corporation; and to direct the Clerk to forward a check in the amount of \$45,738.57, plus further accrued interest, if any, payable to Daewoo Logistics Corporation, to Blank Rome LLP, 405 Lexington Avenue, New York, New York 10174-0208, Attention: Alan M. Weigel, Esq.; and that Daewoo have such other and further relief to which it may show itself to be justly entitled.

Respectfully submitted,

By: _____

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ATTORNEYS FOR DAEWOO
LOGISTICS CORPORATION

CERTIFICATE OF CONFERENCE

I hereby certify that I conferred with counsel for Plaintiff, who is unopposed to the relief sought in Daewoo's Unopposed Motion for Order Directing Clerk to Release Funds.



Kevin P. Walters

CERTIFICATE OF SERVICE

I hereby certify that on September 18, 2014, a copy of the foregoing pleading was sent to all counsel of record, either by operation of the Court's CM/ECF system, by hand, by email, by telefax or by placing same in the United States Mail, properly addressed, and first class postage prepaid.



Kevin P. Walters